

Appln. No. : 09/775,285
Applicant : Kemble, *et al*
Filed : February 1, 2001
TC/A.U. : 2174
Examiner : Narayanaswamy, Sindya

Confirmation No. 8255

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AUG - 5 2004

Docket No. : 6169-149
IBM Docket No. : BOC9-2000-0004

PETITION FOR RETROACTIVE EXTENSION OF TIME

MAILSTOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

OFFICIAL

Sir:

This is a Petition for Retroactive Extension of Time pursuant to 37 CFR § 1.136. The Commissioner is hereby authorized to charge the required fee in the amount of \$110.00 for a (1) month extension of time pursuant to 37 CFR § 1.17(a)(1) to Deposit Account No. 50-0951.

Applicants submit that the two-month period for reply to the instant Final Office Action, which was issued with a mailing date of March 9, 2004, expired on a Sunday, May 9, 2004. As such, Applicants believe that under 37 C.F.R. § 1.7(a) Applicants timely submitted their response to the Office Action via facsimile on May 10, 2004, the next business day. Applicants believe the Advisory Action issued on July 30, 2004, should have noted that the initial response was correctly responded to within the two-month period for reply and request the Examiner's reconsideration in this regard. Nonetheless, Applicants acknowledge that the Examiner is authorized to charge the required fees to Deposit Account No. 50-0951 for ensuring continued prosecution of this application.

(WP192504;1)

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being transmitted via facsimile transmission to Commissioner for Patents at 703-872-9306 on

5 Aug 2004
Brian K. Buchheit, Esquire

Reg. No. 52,667

BEST AVAILABLE COPY

U.S. Appl. No. 09/775,285
Petition for Retroactive Extension of Time
Docket No. 6169-149

IBM Docket No. BOC9-2000-0004

A duplicate copy of this communication is enclosed.

Respectfully submitted,

Date:

5 Aug 2004



Gregory A. Nelson, Registration No. 30,577
Brian K. Buchheit, Registration No. 52,667
AKERMANTENTERFITT
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: 561-653-5000

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